

HOUSE OF REPRESENTATIVES,
Washington, DC, October 28, 2003.

Hon. TOMMY G. THOMPSON,
Secretary, Department of Health and Human
Services, Independence Ave. SW., Wash-
ington, DC.

DEAR MR. THOMPSON: The enclosed article
describes another tragic account of
OxyContin abuse.

How many more stories do we have to read
about this problem before you take more ac-
tion?

Sincerely,

FRANK R. WOLF.
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, October 28, 2003.

Dr. MARK MCCLELLAN,
Commissioner, Food and Drug Administration,
Fishers Ln., Rockville, MD.

DEAR DR. MCCLELLAN: The enclosed article
describes another tragic account of
OxyContin abuse.

How many more stories do we have to read
about this problem before action is taken?

Sincerely,

FRANK R. WOLF.
Member of Congress.

HONORING THE CIVIC LEADERSHIP OF ROBERT SIDNEY AND GAIL PHELAN

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. TANNER. Mr. Speaker, today I rise in
honor of Robert Sidney and Gail Phelan, fine
public servants who have dedicated them-
selves throughout their lives as loyal citizens
to our community.

The couple married in 1958, months after
Gail had been crowned Miss Trenton. They
are members of the 1st United Methodist
Church of Trenton and the proud parents of
Robert Sidney Phelan, Jr., Paul Edmund
Phelan, and Mary LeAnn Phelan. Robert and
Gail also have three grandchildren and two
step-grandchildren.

Robert operated the family business, a Ford
automobile dealership, for 50 years, before
selling it. He has since started a smaller inde-
pendent dealership. In 1963, Robert became
the acting Postmaster while continuing to run
his auto dealership. He also served in the
Tennessee National Guard, from which he re-
tired as a First Lieutenant. With the help of
U.S. Senator Jim Sasser, Robert was instru-
mental in establishing a new National Guard
Armory in 1991.

He has served as Exalted Ruler of the Tren-
ton Elks Lodge and President of the Trenton
Chamber of Commerce. Robert also served
on the Trenton Rotary Club, the Gibson Coun-
ty Election Commission, the Trenton Housing
Authority Board and the Trenton Industrial
Board. He served on the board of Citizen
State Bank, spending some of that tenure as
Chairman. Robert worked diligently to form
Citizen City and County Bank, where he now
serves as Chairman of the Board.

The Phelans have always been devoted to
the Democratic Party on local, state and na-
tional levels, including involvement with gen-
erations of Tennessee governors, Members of
Congress and Vice President Al Gore. Their
son Paul served for 10 years as a State Rep-
resentative.

The family was instrumental in the formation
of the Trenton Special School District and
years later helped replace the aging school
building with a new high school. Believing that
Gibson County could support a satellite com-
munity college, Robert and Gail also helped
raise money to fund Dyersburg State Commu-
nity College in Trenton.

Gail has dedicated much of her life to the
education of her children and others in our
community. She has always been very in-
volved in school parent organizations and
takes an active role in making our schools bet-
ter, including beautiful murals in school hall-
ways.

Gail has not limited her helpful involvement
to working with children, however. A cancer
survivor, she has been an active participant in
Relay for Life efforts of the American Cancer
Society and has helped counsel others who
are also battling cancer, using her own experi-
ences to help comfort those around her.

Mr. Speaker, please join Robert and Gail's
friends and family as we recognize their ded-
ication and service to our community.

IN HONOR OF MAYOR DAVID PENDERGRASS OF SAND CITY, CALIFORNIA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. FARR. Mr. Speaker, it is with great
honor and pleasure that I am able to rise
today to recognize Mayor David Pendergrass,
a dedicated public servant of Sand City, Cali-
fornia. Mayor Pendergrass has served Sand
City for 25 years, where throughout his tenure
as a Mayor-Councilmember, Mayor
Pendergrass has distinguished himself as a
strong leader.

Under Mayor Pendergrass' leadership, the
City of Sand City has been enhanced in many
different ways. He has overseen the establish-
ment of an active redevelopment program and
agency, the organization of a modern city gov-
ernment with a City Administrator-Council ad-
ministrative structure, and maintained an on-
going forum to receive and respond to citi-
zens' concerns. Furthermore, Mayor
Pendergrass has been able to keep Sand
City's focus on its primary goals with diplo-
macy, patience, and consideration.

Mayor Pendergrass' committed public ser-
vice has improved the quality of life at Sand
City, California. He has made great contribu-
tions, and his lifelong dedication to public
service is commendable. His achievements
are truly honorable, and I along with the City
of Sand City, honor this great man.

WRITING BY VICKI WILSON

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Ms. LOFGREN. Mr. Speaker, I am honored
to share with my colleagues this editorial writ-
ten by my courageous friend Vicki Wilson. In
it she describes her very personal story about
her pregnancy and a procedure that was re-

quired to save her life. As Vicki rightly points
out, the ban on so-called "partial birth abor-
tion" prevents women—along with their fami-
lies and doctors—from making private deci-
sions about saving their own lives and pro-
tecting their right to future pregnancies.

A short while ago, the House debated the
so-called "Partial Birth Abortion" ban. Several
members who supported the ban tried to deny
Vicki's story.

Those Members didn't know what they were
talking about. Here is the truth as printed in
the San Jose Mercury News.

[From the San Jose Mercury News]

HEARTBREAK AND A CHOICE: I HAD AN
ABORTION AT EIGHT MONTHS

(By Vicki Wilson)

The right to end a pregnancy is frighten-
ingly precarious, something I didn't under-
stand until I had an abortion at eight
months. The new abortion ban covers what is
not actually a recognized medical procedure;
"partial birth" was coined by the anti-choice
lobby to rile public sensibilities and distort
the truth.

At 36 weeks of pregnancy, an ultra-sound
showed what all my previous parental test-
ing failed to detect—an encephalocele. Two-
thirds of my daughter's brain had formed
outside her skull. What felt to be strong, big,
healthy baby movements were in fact sei-
zures.

My doctor sent me to several specialists in
a desperate attempt to find a way to save
her. Everyone agreed she would not survive
outside my body. As the pregnancy pro-
gressed before I went into labor, she would
probably die from the increased compression
of her brain.

Our doctors explained our options. Let
"nature take its course." But how could I let
my daughter suffer the ongoing seizures?
Second: Abortion. My God! I thought. Here I
am at the end of a planned and very much
wanted pregnancy: Her name is Abigail. How
can one even utter the word "abortion" now?
Despite being a nurse, I'd never heard of any
abortion in the eighth month. I asked about
a Caesarean section. Doctors perform C-sec-
tions only to save babies lives. Mine couldn't
be saved so they didn't want to risk the pos-
sibility of hurting my future fertility. It was
a risk I wasn't willing to take either.

We agonized over our options, which
doesn't convey the heartbreak and rage we
felt. It was hard even to think of these
"choices." I wanted my daughter to be born
with a brain—period. We decided to make
our choice based on what was best for Abi-
gail.

As health-care professionals, my husband
and I understood the medical risks of each
alternative. We understood that it wasn't "is
she going to die"—a higher power had de-
cided that—but "how?" To this day, I thank
God that this decision, at least, was ours.

I continue to battle the anti-choice hard-
liner machine from banning the very proce-
dure that saved my health and ended Abi-
gail's suffering. When will politicians under-
stand: The decision about terminating a
pregnancy should be between women, their
family and their doctors—not politicians.
While I was struggling with the most
wrenching choice I have ever made, it never
occurred to me to confer with a lawyer or a
judge or a politician.

Those opposed to abortion for any reason
declare that women are selfishly choosing to
end their pregnancies late. They deny med-
ical necessity; they'd rather see Abigail suf-
fer and me lose my fertility than allow us to
choose the most decent path for our family.

They state that Americans are opposed to their politically motivated "partial birth" abortions. They don't acknowledge that Americans believe the choice should remain with my family.

Almost nine years have passed since we lost Abigail, and not a day passes that I don't think of her. In my heart I know I did the right thing for me and my family.

EXPLANATION OF VOTE ON CONFERENCE REPORT ON FY 2004 DEFENSE AUTHORIZATION BILL

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. HOLT. Mr. Speaker, the final version of this legislation continues our shared bipartisan commitment to boost the income for all of our military personnel with a 4.15-percent average increase in base pay. This is an important testament to the brave men and women who risk their lives to defend America's freedom.

In addition, this conference report extends several special pay provisions and bonuses for active duty personnel through December 31, 2004. It reduces the average amount of housing expenses paid by service members from 7.5 percent to 3.5 percent in FY 2004 and eliminates the out-of-pocket expense completely by FY 2005. It increases the family separation allowance for service members with dependents, worldwide, from \$100 per month to \$250 per month for the period beginning October 1, 2003 and ending December 31, 2004. Finally, it increases the rate of special pay for those subject to hostile fire and imminent danger, worldwide from \$150 per month to \$225 per month for the period beginning October 1, 2003 to December 31, 2004.

While I am not satisfied with the provisions in this conference report regarding concurrent receipt for military retirees, it does provide some, overdue redress for this out-of-date policy.

But on balance, I am opposing this final conference report because I fundamentally disagree with key aspects of its policy prescriptions and prescriptions. On balance, it will make America less safe in an increasingly unstable world.

First and most importantly, the growing reliance upon nuclear weapons that this legislation encourages makes our nation and the world less safe, not more so. Accordingly, I strongly disagree with the funding in this bill to continue work on high yield, burrowing nuclear "bunker-busters" that target underground military facilities or arsenals. I am equally opposed to the language in this bill that lifts the ban on research leading to low yield "mini-nuclear weapons" of 5 kilotons or less.

Last April, I sent a letter to President Bush that was co-signed by 34 of my colleagues to convey our grave concern that he is weakening long-standing U.S. policy governing the use of nuclear as opposed to conventional weapons. I regret that we have never received a substantive reply from the President. That congressional action coupled with the examples I've cited and other provisions in this conference report further undermine the U.S. non-proliferation efforts of Republican and Democratic Presidents alike and heighten growing international fear that Bush Administration's policies are fueling a new nuclear arms race.

Second, I am opposed to the blanket exemptions from our nation's environmental protection laws for the Pentagon in this bill. There is no convincing evidence that environmental laws like the Clean Air Act and the Endangered Species Act hinder our military's capacity to defend our nation.

But you don't have to take my word for it. Former EPA Administrator, Christine Whitman, testified to the Congress that she does not "believe that there is a training mission anywhere in the country that is being held up or not taking place because of environmental protection." Furthermore, the U.S. General Accounting Office (GAO) has reported to the Congress that the Pentagon has failed to produce any evidence that environmental laws have significantly affected our military readiness.

I do not think the Pentagon or any other federal agency should be above the law. Moreover, current law already allows case-by-case environmental exemptions for the Pentagon, when they are determined to be in the national interest.

Finally, this conference report also contains provisions that will be very harmful to hundreds of thousands of dedicated civilian men and women who make our Defense Department work.

Last year saw the largest government reorganization in more than 3 decades with the creation of the U.S. Department of Homeland Security, affecting 170,000 federal employees. Following extensive congressional debate, Secretary Ridge was granted authority to establish a more flexible that attempted to protect basic worker rights.

But this legislation will give Defense Secretary Rumsfeld broad authority to rollback worker protections for hundreds of thousands of Pentagon employees. There will be nothing to prevent agency managers from abusing their power for political advancement or engaging in discriminatory practices. Allowing managers the ability to waive such protections under the guise of national security and the need for greater flexibility is wrong. It will not make us safer.

Thanks to this legislation, Secretary Rumsfeld will be able to do away with the current personnel system in the Pentagon. I am unwilling to give the Bush Administration a blank check to undo, in whole or in part, many of the civil service laws and protections that have been in place for nearly a century to safeguard against the return of an unfair patronage system.

I want to be very clear. I support a strong national defense. I support modernizing our military. I support giving our troops the resources and training they need to keep our nation secure. But I cannot support this conference report which contains provisions that will take our military backwards, rather than forwards. I cannot support legislation that will re-ignite a global nuclear arms race, even as our troops in Iraq and elsewhere risk their lives every day to stop the spread of nuclear weapons. I cannot support legislation that takes away the rights of hundreds of thousands of hard-working Pentagon employees. Finally, I cannot support legislation that disingenuously claims that stripping away important environmental protections here at home will somehow bolster our national security.

IN MEMORY OF KESH

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. McDERMOTT. Mr. Speaker, his full name was Nayaran Dilip Keshavan Ayyangar, but everyone simply knew him as Kesh. Kesh was a journalist, a Hill staffer, a community activist and a friend to anyone who cared passionately about the political, economic and cultural relationship between his adopted country, the United States, and his native country, India.

Last Thursday, November 13th, Kesh was doing what he had done for the past 2 decades. He was advocating that India's interests were in confluence with the United States'. He had just finished taping an appearance on Lou Dobbs's Moneyline on CNN. Ten minutes after leaving the studio, Kesh was dead of a massive heart attack at the young age of 53.

Mr. Speaker, as a former Chairman of the Congressional Caucus on India and Indian Americans, I know first hand the gravity of the loss both countries have suffered. Not only was Kesh's knowledge of U.S. India relations comprehensive, the breadth and depth of his contacts, here in Washington and back in Delhi, was truly amazing.

A review of Kesh's career will give our colleagues an idea of why Kesh was such a critical player in the U.S. India dialogue. For the past 2 years Kesh served as President of the New York City Chapter of the Indian American Forum for Political Education. Prior to that he was the Executive Director of the India Caucus here in this body. And for more than 15 years before coming to Capitol Hill, Kesh was a distinguished journalist, serving as Editor in Chief of the India Post, as the Washington Bureau Chief of the Indian American, as a reporter for the Washington Times and as the Chief Diplomatic Correspondent for the New York City Tribune. Kesh was educated here in the U.S. at the School of Journalism at Syracuse University and also in India at Osmanis University in Hyderabad, where he obtained a journalism degree, and at Andhra University, where he was awarded a degree in pharmacy.

Mr. Speaker, I am certain all members of this body join me in expressing our condolences to his father, a former head of the Indian Geological Survey, his sister, and his many friends, both here in the United States and back in India. We have all lost a devoted public advocate. Kesh's loss will be felt for many years.

HONORING SARGENT SHRIVER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. FARR. Mr. Speaker, I rise today to honor the dedication, spirit, and accomplishments of my good friend Sargent Shriver who celebrated his 88th birthday last week. I met Sarge while I was in Peace Corps Training in Questa, New Mexico in 1963. He was a hero figure: handsome, smart, engaging, and the President's brother-in-law. We were all so proud of being chosen to be in one of the